

✓
DITA

1 MARK K. AINLEY, SBN 12961

2 Deputy County Attorney

3 Attorneys for STATE OF ARIZONA

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2008 NOV -7 PM 4:20 ✓

JEANNE HICKS, CLERK

BY: 

4
5 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

6 **IN AND FOR THE COUNTY OF YAVAPAI**

7 **STATE OF ARIZONA,**

CAUSE NO. CR 2008-1339

8 Plaintiff,

**STATE'S NOTICE OF
CHANGE OF JUDGE**

9 vs.

Assigned to Hon. HESS

10 **STEVEN CARROLL DEMOCKER,**

11 Defendant.

12
13 The State of Arizona, pursuant to Rule 10.2, Arizona Rules of Criminal Procedure, requests a
14 change of judge as to the Honorable Ralph Hess. Counsel for the State avows that this request is not:

- 15 1. For the purpose of delay;
- 16 2. To obtain a severance;
- 17 3. To interfere with the reasonable case management practices of a judge;
- 18 4. To remove a judge for reasons of race, gender or religious affiliation;
- 19 5. For the purpose of using the rule against a particular judge in a blanket fashion by a
- 20 prosecuting agency, defender group or law firm (*State v. City Court of Tucson*, 150 Ariz. 99, 722
- 21 P.2d 267 (1986));

- 22 6. To obtain a more convenient geographical location;
- 23 7. To obtain advantage or avoid disadvantage in connection with a plea bargain or at
- 24 sentencing, except as permitted under Rule 17.4(g).
- 25
- 26

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

RESPECTFULLY SUBMITTED this 7 day of November, 2008.

Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

By: 
MARK K. AINLEY
Deputy County Attorney

COPY of the foregoing mailed this
7 day of November, 2008, to:

JOHN SEARS, ESQ.
Attorney for Defendant

By: 